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असाधारण

EXTRAORDINARY

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PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 29th August, 1970/Bhadra 7, 1892 (Saka)

The following Act of Parliament received the assent of the President on the 28th August, 1970, and is hereby published for general information:—

THE DOCK WORKERS (REGULATION OF EMPLOYMENT) AMENDMENT ACT, 1970

No. 31 of 1970

[28th August, 1970]

An Act further to amend the Dock Workers (Regulation of Employment) Act, 1948

BE it enacted by Parliament in the Twenty-first Year of the Republic of India as follows:—

1. This Act may be called the Dock Workers (Regulation of Employment) Amendment Act, 1970.

Short
title.

2. In section 3 of the Dock Workers (Regulation of Employment) Act, 1948 (hereinafter referred to as the principal Act), in sub-section (2), after clause (g), the following clause shall be inserted, namely:—

Amend-
ment of
section 3.

“(gg) for the welfare of the officers and other staff of the Board;”.

3. After section 7 of the principal Act, the following section shall be inserted, namely:—

Insertion
of new
section 7A.

Offences
by com-
panies.

'7A. (1) If the person committing an offence made punishable by a scheme or any abetment thereof is a company, every person who, at the time the offence or abetment was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence or abetment and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence or abetment was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence or abetment.

(2) Notwithstanding anything contained in sub-section (1), where an offence made punishable by a scheme or any abetment thereof has been committed by a company and it is proved that the offence or abetment has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence or abetment and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means any body corporate and includes a firm and other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.'

N. D. P. NAMBOODIRIPAD,
Joint Secy. to the Govt. of India.